

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
LENROY MCLEAN,

Petitioner,

- against -

EXECUTIVE OFFICE OF US ATTORNEY
GENERAL ERIC HOLDER, et al.,

Respondent.

-----X

ORDER
11-CV-401 (RRM) (LB)

MAUSKOPF, United States District Judge.

Through this Order, the Court rules on two pending, related motions. On April 18, 2011, this Court received and filed Plaintiff's Amended Petition seeking a Writ of Habeas Corpus (Doc. No. 7). By Order to Show Cause dated April 21, 2011, the Court issued an Order to Show Cause (Doc. No. 8) requiring Respondents to file their opposition to the Amended Petition within 30 days of the date of the Order to Show Cause. On May 27, 2011 by letter filed with the Court (Doc. No. 9), Respondents sought an extension of time to July 15, 2011 by which to file their opposition. The Court did not rule on that request, and as a result, Petitioner has now filed a Motion for Default Judgment (Doc. No. 11) based on the fact that Respondents have failed to oppose the Petition.

The Court hereby GRANTS Respondents' request for an extension, and Respondents shall file their opposition to the Petition by July 15, 2011. No further requests to extend this deadline will be granted without a showing of good cause. Based on this extension, Petitioner shall have thirty (30) days from receipt of Respondent's opposition papers to file any Reply.

Petitioner's Motion for Default Judgment is DENIED in light of Respondents' timely request for an extension of the briefing schedule, and Respondents' clear intent to litigate this

matter on the merits.

The Clerk of Court is directed to mail a copy of this Order to Petitioner at his new address at the Federal Correctional Institution at Adelanto, California as reflected on the docket.

SO ORDERED.

Dated: Brooklyn, New York
June 28, 2011

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge